IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 31473 of 1997

Between:

Smt. Neeru Narula W/o K.K.Narula ..... PETITIONER

AND

1. Government of Andhra Pradesh, rep. by Secretary,

Health Medical & Family Welfare (R.1) Department, Hyderabad.

2. The Director, Indian Medicines & Homeopathy Department,

Hyderabad.

3. The Chief Secretary to Government of A.P.,

Industries & Commerce (SSI) Department, Hyderabad.

4. M/s Allen (Homeo) Pharmaceuticals,

17-1-383/99/A, Vinay Nagar Colony, Saidabad, Hyderabad.

(R4 impleaded as per Court Order dated 3.4.1998 in

W.P.M.P.No. 11043/98)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ or order or direction, more particularly one in the nature of Writ of

Mandamus, declaring the action of the third respondent under Memo No.1541/SSI-A.2/93-6 dated 27.5.1994 as communicated by the first respondent to the second respondent under Memo No.1414/R.1/97-4 dated 26.8.1997 and as implemented by the second respondent to the Tender of 97-98 at the stage of finalisation without there being any pre-condition as arbitrary, illegal, and discriminatory and further direct finalisation of the Tender for the year 1997-98 in favour of the petitioner, being the lowest tenderer, without reference to local/non-local issue.

Counsel for the Petitioner : Mr.P.B.VIJAY KUMAR

Counsel for Respondents 1 to 3 : G.P. FOR MEDICAL & HEALTH

The Court made the following :

ORDER:

It is represented by the learned counsel for petitioner that due to lapse of time, the writ petition has become infructuous. He submits that the legal issues in the writ petition may be left open.

Recording the above submission of the learned counsel for petitioner, the writ petition is dismissed as having become infructuous. However, the legal issues raised in this writ petition are left open for adjudication in appropriate proceedings. There shall be no order as to costs.

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N.V.RAMANA, J

Date: 5.4.2005

DA/SVV

To

1. The Secretary,Government of Andhra Pradesh,

Health Medical & Family Welfare (R.1) Department, Hyderabad.

2. The Director, Indian Medicines & Homeopathy Department,

Hyderabad.

3. The Chief Secretary to Government of A.P.,

Industries & Commerce (SSI) Department, Hyderabad.

4. M/s Allen (Homeo) Pharmaceuticals,

17-1-383/99/A, Vinay Nagar Colony, Saidabad, Hyderabad.

5. Two CCs to the G.P.for Medical and Health,

High Court Buildings, Hyderabad (OUT).

6. Two CD copies.